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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Michael M. Maurer JR.

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EXAMINER

RYAN, PATRICK A

ART UNIT

PAPER NUMBER

2623

NOTIFICATION DATE

DELIVERY MODE

04/03/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

Office Action Summary	Application No. 10/676,217	Applicant(s) MAURER ET AL.	
	Examiner PATRICK A. RYAN	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/01/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is a First Office Action in response to Application 10/676217 filed October 1, 2003. As originally filed, Claims 1-22 are presented for examination.

Priority

2. Applicants claim of priority to previously filed Provisional Application No. 60/415,035 filed on October 1, 2002 is acknowledged to be in accordance with the requirements of 35 USC 119(e).

Claim Rejections - 35 USC § 112

3. Claims 12, 13, 16, 17, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding Claims 12, 13, 16, 17, and 19 the phrase "for example" (e.g. and i.e.) renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckedorff et al. US Patent (4,279,012) "Beckedorff" in view of Beetner US Patent (4,484,220) in further view of Sweetser US Patent (5,168,372).

5. In regards to Claim 1, Beckedorff teaches a device for controlling power to electrically powered equipment (Fig. 1 and Fig. 2) having a first power line for supplying power to the equipment (cord 56 of Fig. 2, with further reference to "AC OUT" shown in Fig. 3 and described in Col. 6 Lines 8-21), the device comprising one or more receptacles for engaging the first power line and selectively supplying power to the equipment (sockets 48 and 50 of Fig. 2, as described in Col. 4 Lines 20-28); a second power line for connection to an alternating current (AC) power source (cord 54 of Fig. 2, with further reference to "AC IN" shown in Fig. 3 and described in Col. 6 Lines 8-21); one or more switches, each switch for selectively interconnecting one of the receptacles to the second power line (AC SWITCH(ES) 104 of Fig. 3, as described in Col. 6 Lines 8-21); and a control circuit for controlling operation of each of the one or more switches (microprocessing unit (MPU) 100, as described in Col. 5 Lines 19-68 and Col. 6 Lines 1-7), each switch being controlled by the control circuit to operate in a first mode, wherein the first mode controls the switch so that the electrically powered equipment is permitted to be energized between specified times or is restricted from being energized between specified times (MPU 100 contains "Bit-Map", stored in data memory 134, which is used to determine when the control devices are to be activated or turned off using time of day information, as disclosed in Col. 7 Lines 25-45. Further reference is made to Fig. 12, which shows the Bit-Map features in detail).

Beckerdorff does not teach a second mode, wherein the second mode controls the switch so that the electrically powered equipment is permitted to be energized for a specified duration of time or is restricted from being energized for a specified duration of time. In a similar field of invention, Beetner teaches a device (Figs. 1-4) for restricting the operating time of an electronic apparatus. Beetner's device uses control circuitry, shown as monitor 20 of Fig. 5, to monitor the duration of time in which a device is in operation. Counter 66 counts down from a preset value to zero, as disclosed in Col. 4 Lines 31-51. During this range, relay 58 is activated thereby providing a closed connection between power cord 32 (AC power) and cord 40 (output power), as disclosed by Beetner in Col. 5 Lines 7-30. Monitor 20 therefore restricts the flow of power to a connected device when the countdown timer is at zero, as disclosed in Col. 5 Lines 50-55. In addition, Beetner's device keeps track of the time of day for display to the user, but does not use this information for controlling the power flow to an electronic device.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device for controlling the power flow to an electronic device based on the start and stop time of day, as taught by Beckerdorff, with the device for controlling power flow based on a duration of time as taught by Beetner because a duration of time provides an "unwavering limit that [is] entirely accurate", as disclosed by Beetner in Col. 2 Lines 30-32. Beetner further discloses that, with reference to a scenario involving children watching television, the countdown timer encourages

children to allocate the time spent watching more wisely without the oversight of a parent, Col. 2 Lines 30-39.

Sweetser provides evidence for the existence of a system that enables and disables the video signal to a television using a combination of a Starting Allowance (analogues to Applicant's first mode), as disclosed in Col. 6 Lines 31-59 or Block Times (analogues to Applicant's second mode), as disclosed in Col. 6 Lines 60-68 and Col. 7 Lines 1-19, is known in the art. Both the Beckerdorff/Beetner combination and Sweetser use relay technology in order to control an electronic device between specific times (first mode) or a duration of time (second mode). The simple substitution of one known element for another to obtain predictable results has been held to be an obvious to one having ordinary skill in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the respective relay switching techniques to a combined switching mode system such as Sweetser in order to facilitate controlling the AC power connections between a source and appliances.

6. In regards to Claim 2, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 wherein the first mode includes an allowance mode and a non-allowance mode, the allowance mode permitting the electrically powered equipment to be energized beginning at a specified time and ending at a specified time (operable time periods disclosed by Beckerdorff in Col. 4 Lines 56-68), and the non-allowance mode prohibiting the electrically powered equipment from be energized

beginning at a specified time and ending at a specified time (outside of the operable time periods Beckerdorff's device is turned off, as disclosed in Col. 7 Lines 36-40).

7. In regards to Claim 3, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 wherein the second mode includes a timed-on mode and a timed-off mode, wherein the timed-on mode permits the electrically powered equipment to be energized during a specified duration of time beginning when the mode is activated (a high voltage "logic 1" is emitted from counter 66 by way of line 98 while the counter is active, which in turn causes current flow in relay 58 (causing the relay to close), as disclosed in Col. 5 Lines 6-20 of Beether), and wherein the timed-off mode prohibits the electrically powered equipment from energizing during a duration of time beginning at end of the timed-on mode and ending at the beginning of a next timed on mode (once counter 66 reaches zero, a low voltage "logic 0" signal is sent over line 98, which in turn causes relay 58 to become de-energized (causing the relay to open), as disclosed by Beether in Col. 5 Lines 20-30).

8. In regards to Claim 4, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 wherein each receptacle is independently controllable during either the first mode or the second mode (Beckerdorff teaches the control of multiple outlet sockets, shown as elements 48 and 50 of Fig. 2, with further reference to Col. 4 Lines 14-28. In addition, Sweetser teaches a device operating in a "first mode" and a "second mode", as addressed with reference to Claim 1).

9. In regards to Claim 5, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 further including one or more selectively locked

compartments within which the one or more receptacles are located for engaging the first power line such that the first power line cannot be removed from the compartment when the compartment is locked (Beckerdorff teaches a mechanical locking system, shown in Figs. 1 and 2, as described in Col. 4 Lines 14-28. In addition, Beether teaches a mechanical locking system, shown in Fig. 1, as described in Col. 3 Lines 17-37).

10. In regards to Claim 6, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 wherein, if the operator selects the first mode, the operator may program the control circuit to prevent operation of the electrically powered equipment between a first specified time and a second specified time (this limitation has been covered with reference to Claim 2).

11. In regards to Claim 7, the combination of Beckerdorff, Beether, and Sweetser, the device of Claim 1 wherein, if the operator selects the second mode, the operator programs the control circuit to allow certain duration of time for operating the electrically powered equipment (this limitation has been covered with reference to Claim 3).

12. In regards to Claim 8, the combination of Beckerdorff, Beether, and Sweetser teach device of Claim 1 wherein, if the operator selects the first mode, the operator programs the control circuit to prohibit the equipment from energizing between specified times for a particular day or between specified times for multiple days of a week (Beckerdorff teaches the programming of time ranges throughout a single day or creating a different schedule for each day, Col. 5 Lines 9-18).

13. In regards to Claim 9, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 wherein the control circuit controls the power supplied to the

receptacles by opening and closing power relays controlling the one or more switches which are in series between each receptacle and the second power line (Beckerdorff teaches the operation of multiple AC switches shown in element 104 of Fig. 3, with further reference to Col. 5 Lines 8-21.).

14. In regards to Claim 10, the combination of Beckerdorff, Beether, and Sweetser teach, the device of Claim 1 wherein the control circuit comprises a microcontroller and/or a logic controller (Beckerdorff teaches MPU 100, as described in Col. 5 Lines 19-68 and Col. 6 Lines 1-7).

15. In regards to Claim 11, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 10 wherein the microcontroller provides an output "inhibit" signal to the logic controller wherein, in the first mode, the inhibit signal is provided during periods when the equipment is not permitted to be energized (Beckerdorff discloses a control line 142 coupled to control switch 104, which enables or disables the connection of the AC IN line to the AC OUT line, as described in Col. 6 Lines 8-21) and, in the second mode, the inhibit signal is provided after the allotted time period for operation of the equipment has expired (Beether discloses the use of "logic 0" signal to indicate the countdown timer has reached zero, as disclosed in Col. 5 Lines 20-30).

16. In regards to Claim 12, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 wherein the device includes a keypad and a display (Sweetser includes a keypad and display in Figs. 1 and 3), wherein the operator uses the keypad to interact with one or more menus displayed via a display to program the first and/or second modes operation of the device (Sweetser discloses Program Mode

in which a parent may program a device to operated based on a period of time ("first mode") or based on a duration of time ("second mode"), as described in Col. 6 Lines 31-68 and Col. 7 Line 1-19. With further reference to Col. 9 Lines 9-20), and wherein the device is responsive to an authorization code entered enter via the keypad to provide access to the one or more menus (parent password, as described in Col. 9 Lines 21-41, which works in an identical fashion to the child's password, as described in Col. 7 Lines 20-63).

17. In regards to Claim 13, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 12 wherein the control circuit manages the keypad and display, and provides an output signal to power relays controlling the one or more switches when a violation has occurred in either mode (Sweetser discloses several conditions that must be met in order for the device to be activated, one of which is the entry of a correct password, Col. 7 Lines 50-57).

18. In regards to Claim 14, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 12 wherein the one or more menus include: a setup menu for selecting whether the device operates in the first mode or the second mode (Sweetser discloses a number of program options available in Parent Mode, as disclosed in Col. 9 Lines 9-20); an allowance menu for programming the specified times between which the electrically powered equipment is permitted to be energized when operating in allowance mode (programming of Block Times, as Sweetser discloses in Col. 10 Lines 26-39); a timed-on menu for programming the specified duration of time during which the electrically powered equipment is permitted to be energized when operating in the

timed-on mode (programming of Starting Allowance, as Sweetser discloses in Col. 9 Lines 65-68 and Col. 10 Lines 1-25); and a sign on menu for entering an authorization code to access the setup, allowance and/or timed-on menus (device prompts parent for Parent Password when Parent button is activated, as Sweetser discloses in Col. 8 Lines 66-68).

19. In regards to Claim 15, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 12 wherein a locked compartment comprises a setup menu switch for accessing the setup, allowance and/or timed-on menus without the authorization code, and/or for resetting the authorization code (Beckerdorff teaches a lockable back cover 44, locked by key lock 47, shown in Fig. 2 that covers switch 52. Switch 52 is used to set a secret code that must be entered on control keys 32 in order to unlock the device, as disclosed in Col. 4 Lines 29-55. Therefore, the individual with the key for key lock 47 has the ability change the access code by way of mechanical switch, with reference to Col. 8 Lines 1-15).

20. In regards to Claim 16, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 further comprising an override option for delaying the start of a restricted time period, as defined by the first mode, such that a currently active time period is extended by a predetermined time period (Sweetser teaches overriding blocked periods, as disclosed in Col. 10 Lines 62-68).

21. In regards to Claim 17, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 1 further comprising an override option for overriding a currently active time period, as defined by the second mode, and extending the period

that equipment is energized by a predetermined time period (Sweetser teaches overriding blocked periods, as disclosed in Col. 10 Lines 62-68).

22. In regards to Claim 18, Beckerdorff teaches a device for controlling power to electrically powered equipment (Fig. 1 and Fig. 2) having a first power line for supplying power to the equipment (cord 56 of Fig. 2, with further reference to "AC OUT" shown in Fig. 3 and described in Col. 6 Lines 8-21), the device comprising: an input device for entering computer executable instructions (keyboard 10 of Fig. 1, as described in Col. 3 Lines 61-68 and Col. 4 Lines 1-13); a memory for storing the entered executable instructions (data memory 134, which stores Bit-Map, as described in Col. 7 Lines 25-45); a clock for generating a clock signal (60 cycle signal line 150, as described in Col. 5 Lines 52-62); one or more receptacles for engaging the first power line and selectively supplying power to the equipment (sockets 48 and 50 of Fig. 2, as described in Col. 4 Lines 20-28); a second power line for connection to an alternating current (AC) power source (cord 54 of Fig. 2, with further reference to "AC IN" shown in Fig. 3 and described in Col. 6 Lines 8-21); one or more switches, each switch for selectively interconnecting one of the receptacles to the second power line (AC SWITCH(ES) 104 of Fig. 3, as described in Col. 6 Lines 8-21); and a control circuit responsive to the input device, clock signal, and stored executable instructions for controlling operation of each of the one or more switches, each switch being controlled by the control circuit (keyboard 108, 60 cycle signal 150, data memory 134, and AC SWITCH(ES) 104 in connection with MPU 100 of Fig. 3, as described in Col. 5 Lines 63-68 and Col. 6 Lines

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1-21) to operate in an allowance mode first mode (operable time periods, disclosed in Col. 4 Lines 56-68), wherein the first mode controls the switch so that the electrically powered equipment is permitted to be energized between specified times or is restricted from being energized between specified times (operable time periods, disclosed in Col. 4 Lines 56-68).

Beckerdorff does not teach a second mode, wherein the second mode controls the switch so that the electrically powered equipment is permitted to be energized for a specified duration of time or is restricted from being energized for a specified duration of time. In a similar field of invention, Beetner teaches a device (Figs. 1-4) for restricting the operating time of an electronic apparatus. Beetner's device uses control circuitry, shown as monitor 20 of Fig. 5, to monitor the duration of time in which a device is in operation. Counter 66 counts down from a preset value to zero, as disclosed in Col. 4 Lines 31-51. During this range, relay 58 is activated thereby providing a closed connection between power cord 32 (AC power) and cord 40 (output power), as disclosed by Beetner in Col. 5 Lines 7-30. Monitor 20 therefore restricts the flow of power to a connected device when the countdown timer is at zero, as disclosed in Col. 5 Lines 50-55. In addition, Beetner's device keeps track of the time of day for display to the user, but does not use this information for controlling the power flow to an electronic device.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device for controlling the power flow to an electronic device based on the start and stop time of day, as taught by Beckerdorff, with the device for

controlling power flow based on a duration of time as taught by Beetner because a duration of time provides an "unwavering limit that [is] entirely accurate", as disclosed by Beetner in Col. 2 Lines 30-32. Beetner further discloses that, with reference to a scenario involving children watching television, the countdown timer encourages children to allocate the time spent watching more wisely without the oversight of a parent, Col. 2 Lines 30-39.

Sweetser provides evidence for the existence of a system that enables and disables the video signal to a television using a combination of a Starting Allowance (analogues to Applicant's first mode), as disclosed in Col. 6 Lines 31-59 or Block Times (analogues to Applicant's second mode), as disclosed in Col. 6 Lines 60-68 and Col. 7 Lines 1-19, is known in the art. Both the Beckerdorff/Beetner combination and Sweetser use relay technology in order to control an electronic device between specific times (first mode) or a duration of time (second mode). The simple substitution of one known element for another to obtain predictable results has been held to be an obvious to one having ordinary skill in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the respective relay switching techniques to a combined switching mode system such as Sweetser in order to facilitate controlling the AC power connections between a source and appliances.

23. In regards to Claim 19, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 18 wherein the device further includes a display (Beckerdorff teaches display 12 of Fig. 1, as described in Col. 6 Lines 22-58. In addition, Sweetser

teaches display 3 of Fig. 3, as described in Col. 5 Lines 62-68 and Col. 6 Lines 1-8), wherein the operator uses the keypad to interact with one or more menus displayed via a display to enter executable instructions for the first and/or second modes operation of the device (Sweetser discloses Program Mode in which a parent may program a device to operated based on a period of time ("first mode") or based on a duration of time ("second mode"), as described in Col. 6 Lines 31-68 and Col. 7 Line 1-19. With further reference to program operations navigation, as described in Col. 9 Lines 9-68 and Col. 10 Lines 1-68) and wherein the device is responsive to an authorization code entered enter via the keypad to provide access to the one or more menus (parent password, as described in Col. 9 Lines 21-41, which works in an identical fashion to the child's password, as described in Col. 7 Lines 20-63).

24. In regards to Claim 20, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 19 wherein the one or more menus include: a setup menu for selecting whether the device operates in the first mode or the second mode (Sweetser discloses a number of program options available in Parent Mode, as disclosed in Col. 9 Lines 9-20); an allowance menu for programming the specified times between which the electrically powered equipment is permitted to be energized when operating in allowance mode (programming of Block Times, as Sweetser discloses in Col. 10 Lines 26-39); a timed-on menu for programming the specified duration of time during which the electrically powered equipment is permitted to be energized when operating in the timed-on mode (programming of Starting Allowance, as Sweetser discloses in Col. 9 Lines 65-68 and Col. 10 Lines 1-25); and a sign on menu for entering an authorization

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code to access the setup, allowance and/or timed-on menus (device prompts parent for Parent Password when Parent button is activated, as Sweetser discloses in Col. 8 Lines 66-68).

25. In regards to Claim 21, the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 18 wherein the first mode includes an allowance mode and a non-allowance mode, the allowance mode permitting the electrically powered equipment to be energized beginning at a specified time and ending at a specified time (operable time periods disclosed by Beckerdorff in Col. 4 Lines 56-68), and the non-allowance mode restricting the electrically powered equipment from be energized beginning at a specified time and ending at a specified time (outside of the operable time periods Beckerdorff's device is turned off, as disclosed in Col. 7 Lines 36-40).

26. In regards to Claim 22, , the combination of Beckerdorff, Beether, and Sweetser teach the device of Claim 18 wherein the second mode includes a timed-on mode and a timed-off mode, wherein the timed-on mode permits the electrically powered equipment to be energized during a specified duration of time beginning when the mode is activated (a high voltage "logic 1" is emitted from counter 66 by way of line 98 while the counter is active, which in turn causes current flow in relay 58 (causing the relay to close), as disclosed in Col. 5 Lines 6-20 of Beether), and wherein the timed-off mode restricts the electrically powered equipment from energizing during a duration of time beginning at end of the timed-on mode and ending at the beginning of a next timed on mode (once counter 66 reaches zero, a low voltage "logic 0" signal is sent over line 98,

which in turn causes relay 58 to become de-energized (causing the relay to open), as disclosed by Beether in Col. 5 Lines 20-30).

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

28. Pressman, US Patent (4,246,495), teaches an apparatus for programming the availability of use of a television set at predetermined time intervals of the day or controlling the total usage of the television set over a given period such as a 24-hour period.

29. Dresti et al., US Patent (6,642,852 B2), teach a controlling device having programming that ensures an appliance will be placed into a desired power state. The controlling device is capable of switching on/off power to multiple devices independently.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK A. RYAN whose telephone number is (571)270-5086. The examiner can normally be reached on Mon to Thur, 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. A. R./
Examiner, Art Unit 2623
Tuesday, April 01, 2008

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623